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Re: HB 405: Medical malpractice reform: defensive medicine reduction

The Honorable Members of the House Business & Labor Committee

Dear Committee members:

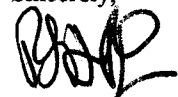
I am writing today regarding the importance of HB 405 and the growing expense associated with unnecessary medical testing stemming from defensive medical practices by physicians and other healthcare providers.

I am a fellowship trained, board certified physician, with a Montana medical license who has 21 years experience in the practice of interventional and diagnostic radiology. Despite all of this, I still pride myself as having a fair amount of common sense. I am here today to speak about something that is increasingly expensive, exposes patients to unnecessary radiation, makes no sense, and needs to be changed.

I am routinely asked to perform medical imaging tests on patients who have a very low "pre-test probability". That is, tests which have a very low chance of finding an abnormality. Many of these expensive tests often require the unnecessary administration of radiation to the patient. These diagnostic examinations are requested by well trained and experienced physicians who hold a Montana medical license. Competent, experienced and licensed physician colleagues frequently tell me that although they often have low suspicion of significant abnormality, they have significant fear of the medical liability associated with missing the "one in a million" diagnosis. After 21 years of Radiology practice, referring physicians frequently tell me that they do not believe that the law provides any sanctuary for them to prudently exercise their best medical judgment. Many of these experienced, board certified physicians voice the opinion that the law gives no reward, makes no provision or allowance, and grants no authority which allows physicians to strive for cost-effective medical care. As a consequence, many of my physician colleagues find it easier, and safer, to simply order expensive medical tests for protection.

Please vote for HB 405 and assist in containing the cost of medical care in Montana.

Sincerely,



Robert L.G. Stears, M.D.